

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Original) A seed comprising at least one set of the chromosomes of maize inbred line PH726, representative seed of said line having been deposited under ATCC Accession No. PTA-4437.
2. (Previously Presented) A maize plant produced by growing the seed of claim 1.
3. (Original) A maize plant part of the maize plant of claim 2.
4. (Currently Amended) An F1 hybrid maize seed produced by crossing a plant of maize inbred line designated PH726, representative seed of said line having been deposited under ATCC Accession No. PTA-4437, with a different maize plant ~~and harvesting the resultant F1 hybrid maize seed, wherein said F1 hybrid maize seed comprises two sets of chromosomes and one set of the chromosomes is the same as maize inbred line PH726.~~
5. (Original) A maize plant produced by growing the F1 hybrid maize seed of claim 4.
6. (Original) A maize plant part of the maize plant of claim 5.

7. (Original) An F1 hybrid maize seed comprising an inbred maize plant cell of inbred maize line PH726, representative seed of said line having been deposited under ATCC Accession No. PTA-4437.

8. (Original) A maize plant produced by growing the F1 hybrid maize seed of claim 7.

9. (Original) The F1 hybrid maize seed of claim 7 wherein the inbred corn plant cell comprises two sets of chromosomes of maize inbred line PH726.

10. (Original) A maize plant produced by growing the F1 hybrid maize seed of claim 9.

11. (Previously Presented) A maize plant having all the physiological and morphological characteristics of inbred line PH726, wherein a sample of the seed of inbred line PH726 was deposited under ATCC Accession Number PTA-4437.

12. (Previously Presented) A process of producing maize seed, comprising crossing a first parent maize plant with a second parent maize plant, wherein one or both of the first or the second parent maize plants is the plant of claim 11, wherein seed is allowed to form.

13. (Previously Presented) The maize seed produced by the process of claim 12.

14. (Previously Presented) The maize seed of claim 13, wherein the maize seed is hybrid seed.

15. (Currently Amended) A hybrid maize plant, ~~or its parts,~~ produced by growing said hybrid seed of claim 14.

16. (Cancelled)

17. (Previously Presented) A cell of the maize plant of claim 11.

18. (Previously Presented) A seed comprising the cell of claim 17.

19. (Cancelled)

20. (Currently Amended) The maize plant of ~~claim 19~~ claim 39, wherein ~~the single locus was~~ one or more transgenes are stably inserted ~~into a maize genome~~ by transformation.

21. (Cancelled)

22. (Currently Amended) The maize plant of ~~claim 19~~ claim 32, wherein ~~the locus confers a trait~~ desired trait is selected from the group consisting of herbicide tolerance; insect resistance; resistance to bacterial, fungal, ~~nematode~~ or viral disease; ~~yield enhancement~~; waxy starch; improved nutritional quality or yield enhancement compared to PH726; male sterility and restoration of male fertility.

23. (Currently Amended) The maize plant of ~~claim 11~~ claim 22, wherein ~~said plant is further defined as comprising a gene conferring~~ the desired trait is male sterility.

24. (Currently Amended) The maize plant of ~~claim 11~~ claim 22, wherein ~~said plant is further defined as comprising a transgene conferring a trait selected from the group consisting of male sterility, the desired trait is~~ herbicide resistance, insect resistance, ~~and~~ or disease resistance.

25. (Currently Amended) A method of producing a maize plant derived from ~~[[the]]~~ inbred line PH726, the method comprising the steps of:

- (a) growing a progeny plant produced by crossing the plant of claim 11 with a second maize plant;
- (b) crossing the progeny plant with itself or a different plant to produce a seed of a progeny plant of a subsequent generation;
- (c) growing a progeny plant of a subsequent generation from said seed and crossing the progeny plant of a subsequent generation with itself or a different plant; and
- (d) repeating steps (b) and (c) for an additional 0-5 generations to produce a maize plant derived from the inbred line PH726.

26. (Previously Presented) The method of claim 25, wherein the maize plant derived from the inbred line PH726 is an inbred maize plant.

27. (Previously Presented) The method of claim 26, further comprising the step of crossing the inbred maize plant derived from the inbred line PH726 with a second, distinct inbred maize plant to produce an F1 hybrid maize plant.

28. (Previously Presented) A method for developing a maize plant in a maize plant breeding program using plant breeding techniques comprising employing a maize plant, or its parts, as a source of plant breeding material

comprising using the maize plant of claim 11, or parts thereof, as a source of said breeding material.

29. (Previously Presented) The method for developing a maize plant in a maize plant breeding program of claim 28 wherein plant breeding techniques are selected from the group consisting of recurrent selection, backcrossing, pedigree breeding, restriction fragment length polymorphism enhanced selection, genetic marker enhanced selection, and transformation.

30. (Cancelled)

31. (New) A method for introducing a desired trait into a maize inbred line, the method comprising crossing a recurrent inbred line PH726 and a donor line containing the desired trait to produce progeny seed, backcrossing a plant produced from the progeny seed with the recurrent inbred line and selecting for the desired trait, representative seed of the recurrent inbred line PH726 having been deposited under ATCC Accession No. PTA-4437.

32. (New) A plant produced by the method of claim 31.

33. (New) A plant part produced by the method of claim 31.

34. (New) A seed produced by the method of claim 31.

35. (New) The method of claim 31 further comprising one or more additional steps of backcrossing with the recurrent parent inbred line PH726 and selecting for the desired trait.

Serial No. 10/781,403  
Amendment Dated January 26, 2006  
Reply to Office Action of October 17, 2005

- 36. (New) A plant produced by the method of claim 35.
- 37. (New) A plant part produced by the method of claim 35.
- 38. (New) A seed produced by the method of claim 35.
- 39. (New) A maize plant of maize inbred line PH726 further comprising one or more transgenes, representative seed of said inbred line having been deposited under ATCC Accession No. PTA-4437.